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Attorneys for Defendant  
CMT USA, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JOON PARK, an individual,  
  
Plaintiff,  
  
v.  
  
CMT USA, INC., a North Carolina  
corporation,  
  
Defendant.

CV NO. 08 CV 0668 DMS (NLS)

**DECLARATION OF ROBERT E.  
COLLETTI IN SUPPORT OF  
DEFENDANT CMT USA'S *EX PARTE*  
APPLICATION TO CONTINUE ENE  
CONFERENCE**

Judge: Hon. Dana M. Sabraw  
Magistrate Judge: Hon. Nita L. Stormes

Complaint: April 14, 2008

I, Robert E. Colletti, declare as follows:

1. I am an attorney licensed to practice law in the State of New York, and am a partner with the law firm of Frommer Lawrence & Haug LLP, principal counsel for defendant and counterclaim plaintiff CMT USA, Inc. ("CMT") in this action. I was admitted *pro hac vice* in this case on or about May 30, 2008. I have personal knowledge of the following facts and if called upon could and would testify competently thereto.

1           2.       On July 1, 2008, I participated in a teleconference pursuant to Rule 26(f) of the  
2 Federal Rules of Civil Procedure with Paul Adams, Esq., counsel for plaintiff and counterclaim  
3 defendant Joon Park ("Park"). During that conference, I raised with Mr. Adams the prospect of  
4 requesting a continuance of the ENE scheduled for July 22, 2008 to allow counsel for the parties  
5 an opportunity to engage in settlement discussions in an effort to resolve this case. On July 10,  
6 2008, I sent Mr. Adams an e-mail confirming that CMT would be filing a request to continue the  
7 ENE in this case on July 11, 2008. On July 11, 2008, Mr. Adams sent me a responsive e-mail  
8 confirming that Park does not oppose CMT's request for a continuance.

9           3.       CMT will be represented at the ENE in this matter by Marcello Tommassini. Mr.  
10 Tommassini will have full settlement authority on behalf of CMT. Mr. Tommassini resides in  
11 Italy and will be traveling to the ENE from Italy.

12           I declare under penalty of perjury under laws of the State of New York and the United  
13 States of America that the foregoing is true and correct

14           Executed in New York, New York on July 11, 2008.

15           Dated: July 11, 2008

FROMMER LAWRENCE & HAUG LLP

17           By: s/ Robert E. Colletti

18           ROBERT E. COLLETTI

19           EDGAR H. HAUG  
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28           CMT USA, INC.